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COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING AND BUILDING STAFF REPORT

Board of Supervisors

MEETING DATE November 6, 2012	CONTACT/PHONE Terry Wahler, 781-5621	APPLICANT Nagano	FILE NO. AGP2011-00004
SUBJECT Proposal by the Patrick Nagano Trust to establish an Agricultural Preserve to enable the applicant to enter into a Land Conservation Contract. The project site consists of approximately 21.0 acres within the Agriculture land use category, located at 1675 Nagano Road, approximately 500 feet north of the intersection of Nagano Road and Little Morro Creek Road, approximately 2,700 feet northeast of the City of Morro Bay. The site is in the Estero planning area.			
RECOMMENDED ACTION The Agricultural Preserve Review Committee and Planning Commission recommend approval of this request to establish an agricultural preserve to the Board of Supervisors as follows:			
Preserve Designation: Minimum Parcel Size : Minimum Term of Contract:		Chorro Valley Agricultural Preserve No. 22 20 Acres 10 Years	
ENVIRONMENTAL DETERMINATION Categorical Exemption (Class 17)			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION Flood Hazard, Coastal Zone Creek	ASSESSOR PARCEL NUMBER 073-051-040	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: None Applicable		LAND USE ORDINANCE STANDARDS: Section 23.04.024d(2) – Minimum parcel size for new agricultural preserves	
EXISTING USES: One single family residence, barn and accessory structures			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture/ Irrigated orchard <i>South:</i> Agriculture/ Irrigated orchard <i>East:</i> Agriculture/ Irrigated orchard, rural residence <i>West:</i> Agriculture/ Irrigated row crop, rural residences			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: None			
TOPOGRAPHY: Flat		VEGETATION: Riparian vegetation, grasses, orchards	
PROPOSED SERVICES: None required		ACCEPTANCE DATE: April 9, 2012	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER - SAN LUIS OBISPO, CALIFORNIA 93408 (805) 781-5600 FAX: (805) 781-1242			

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PROJECT REVIEW

Background:

The subject parcel was originally part of the Quintana land grant and a portion of a 200 acre land holding initially purchased by the Nagano family in 1939. Historically, this 21 acre parcel has been used for irrigated row crops.

The land owner is requesting establishment of an agricultural preserve to allow him to enter into a land conservation contract. He is applying under the High Productivity Prime Land (Small Specialized Farms) provision that was added to the Rules of Procedure in 2007. The property is planted in approximately 18 acres of irrigated avocados.

Site and Area Characteristics

The property is located in the alluvial plain generally bounded by Morro Creek and Highway 41 on the north and Little Morro Creek and Little Morro Creek Road on the south. This agricultural valley is characterized by small parcels used extensively for irrigated row crops and orchards.

Although used for the cultivation of irrigated row crops in past years, in 1997 18 acres of avocado saplings were planted. Unfortunately there was a hard freeze in the winter of 1997-1998 and approximately 1,000 of the new saplings were killed. Although the orchard was replanted, subsequent years of extreme weather conditions prevented full production.

Organic farming methods were implemented in 2004-2005. After further weather disruptions, the first significant organic crop was produced and marketed in 2009.

Soils Evaluation

The following table shows the Natural Resources Conservation Service soils ratings of the site:

Land Capability Class		Riparian Area	Irrigated Orchard	Homesite & barns	Total Acres
If Irrigated	If Non-Irrigated				
1	3	NA	17.5	1.5	19
2	3	1	0.5	0.5	2
TOTAL					21

As can be seen from the above table, Class 1 irrigated soils are the predominant soils type on the property. There is a 200 gallon per minute well in use at this time.

Exhibit A shows the location, topography and land use designations of the site and adjacent properties.

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Compliance with the Agricultural Preserve Rules of Procedure

To be eligible for an agricultural preserve under the High Productivity Prime Land (Small Specialized Farms) provision of the Rules of Procedure, the parcel must equal a minimum of 20 acres gross, 10 of the 20 acres must be Class 1 or 2 planted in irrigated crops and include land planted in crops which have produced an annual gross value of \$2,000 or more per acre for three of the previous 5 years substantiated by sales receipts or agricultural income forms. Alternately a land owner may provide crop production records from the County Department of Agriculture.

Due to multiple years of atypical extreme weather, staff is using an average from five years of the County Department of Agriculture's Crop Reports from 2006 through 2011.

The average production per acre is 1.95 tons and the average annual gross value per acre is \$3,813. In all but one of the last five years avocados exceed the minimum annual gross value of \$2,000.00 per acre required by the Rules of Procedure. Using the Crop Reports, it can be seen that the property will likely produce almost twice the minimum gross value per acre as required by the eligibility criteria. Also, the property has almost twice the required amount of prime soils to qualify for a High Productivity Prime Land (Small Specialized Farms) Agricultural Preserve and Land Conservation Contract.

The applicant's property complies with the eligibility criteria with 21 acres gross, 17.5 acres of irrigated Class 1 soil and 0.5 acre of irrigated Class 2 soil, planted in avocado orchard.

Staff is recommending approval of the request to establish an Agricultural Preserve and enter into a Land Conservation Contract. The appropriate minimum parcel size is 20 acres and the appropriate term of the contract is 10 years, because the property is located within one mile of the urban reserve line and city limits of Morro Bay.

Agricultural Preserve Review Committee (APRC)

The following is an excerpt from the Minutes of the Regular Meeting of the Agricultural Preserve Review Committee held on April 30, 2012 at the U.C. Cooperative Extension Auditorium, San Luis Obispo, California, at 1:30 p.m

Terry Wahler, staff: introduces staff report and explains the property's basis for eligibility.

Dick Nock: would like an explanation of what "Organic" farming methods are with Mr. Nagano explaining differences, focusing on keeping a sustainable operation.

John Nall: opens Public Comment with no one coming forward.

Irv McMillian: asks about requirements for establishing an agricultural preserve if the application wasn't eligible under "High Productivity Prime Land (Small Specialized Farms)" criteria in the Rules of Procedure. Mr. Wahler responds stating there is no surrounding property under agricultural preserve for this property to join with to meet the agricultural preserve requirement under the regular prime land eligibility criteria.

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Following the discussion, Don Warden moved to approve this request to establish an agricultural preserve to allow the applicant to enter into a land conservation contract, Preserve Designation: Chorro Valley Agricultural Preserve No. 22. Minimum Parcel Size: 20 acres. Minimum Term of Contract: 10 years. This motion was seconded by Dick Nock, and carried unanimously on a 9-0 vote with Farm Service Agency, Land Conservancy, Soil Science, and Farm Advisor members being absent.

RECOMMENDATIONS

The Agricultural Preserve Review Committee and Planning Commission recommend approval of this request to establish an agricultural preserve to the Board of Supervisors as follows:

Preserve Designation:	Chorro Valley Agricultural Preserve No. 22
Minimum Parcel Size:	20 Acres
Minimum Term of Contract:	10 Years

FINDINGS

- A. The proposed establishment of this agricultural preserve is consistent with the San Luis Obispo County General Plan, including the Land Use Element, Agriculture Element, the Conservation and Open Space Element, and the county's Rules of Procedure to Implement the California Land Conservation Act of 1965.
- B. The proposed establishment of this agricultural preserve is appropriate and consistent with the character of the surrounding area.

Report prepared by Terry Wahler
and reviewed by Warren Hoag
Land Conservation Program